

**FEDERAL COMMUNICATIONS COMMISSION**  
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**WASHINGTON DC 20554**

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MAR 9 2009

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6900 Wisconsin Avenue, Suite 704  
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In re: John Edward Ostlund  
NEW(AM), Easton, California  
Facility Identification Number: 160949  
BNP-20081031ABS

Dear Mr. Miller:

This is in reference to the above-captioned application for a new AM radio station in Easton, California. The application is a studied pursuant to a Commission Public Notice listing mutually exclusive applications in AM Auction No 84.<sup>1</sup>

A preliminary study of the application reveals that the proposed 5.0 mV/m nighttime groundwave contour overlaps the 5.0 mV/m nighttime groundwave contour of second adjacent channel station KRDU, Dinuba, California, in contravention of Section 73.37 of the Commission's rule.

Further action on the subject application will be withheld for thirty (30) days from the date of this letter in order to provide an opportunity to file a curative electronic amendment. Failure to respond or file an amendment within this time period will result in the dismissal of the application pursuant to Section 73.3568 of the rules.

Sincerely,



Son K. Nguyen  
Supervisory Engineer  
Audio Division  
Media Bureau

cc: B. Benjamin Evans

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<sup>1</sup> See Public Notice entitled "*AM Auction No. 84 Mutually Exclusive Applications Subject to Auction*", Attachment 84-MX, page 15, DA 051604 (Media Bureau, released June 15, 2005). By the Commission's September 4, 2008 letter, John Edward Ostlund was directed to file a long-form application for a construction permit at Easton, California.